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| 10/550,126 | 09/19/2005 | Masaru Okada | F-8698 | 1063 |

28107          7590          01/23/2008
JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK, NY 10168

| EXAMINER |
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| BELOUSOV, ANDREY |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)☒ Responsive to communication(s) filed on *01 February 2007*.

2a)☐ This action is **FINAL**.  2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date *9/19/2005, 3/19/2007, 12/12/2007*.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

## DETAILED ACTION

This action is responsive to the original filing of February 1, 2006. Claims 1-22 are

pending and have been considered below.

### *Claim Rejections - 35 USC § 112*

1.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.      Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

3.      Claims 1-16 are recites the limitation "the display" in claim 8 lines 3-4 and claim

16, line 2. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 102*

4.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

Claims 1, 3-5, 8, 10-12 and 15-22 are rejected under 35 U.S.C. 102(b) as being

anticipated by Opera (Opera, Version 6.0, Copyright (c) 1995-2001 Opera Software

ASA.)

**Claim 1, 8:** <u>Opera</u> discloses an executable browser program stored on a medium, said

program comprising:

    a. displaying the same number of windows as at least a part of multiple buttons

       provided to operating means of a content display apparatus for displaying

       contents on a display by superimposing them on a display area of the display

       (pg. 6);

    b. being able to display at least a part of results of interpreting a markup language

       document in each window (pg. 6: Google start page); and

    c. if one of the buttons other than the button corresponding to the window currently

       displayed in the highest-level layer is activated (pg. 6, clicking on "Opera

       Community"), displaying the window corresponding to this button in the highest-

       level layer (pg. 3.)


**Claim 3, 10:** <u>Opera</u> discloses the browser program according to claim 1, wherein, if the

button corresponding to the window currently displayed in the highest-level layer is

activated (pg. 6: Hotlist), it generates and displays a URL input interface for having a

new markup language document obtained by a user (pg. 5: "Find")


**Claim 4, 11:** <u>Opera</u> discloses the browser program according to claim 1, wherein, if the

button corresponding to the window currently displayed in the highest-level layer is

activated (pg. 6: Hotlist), it displays a history dialog (pg. 4.)

**Claim 5, 12:** <u>Opera</u> discloses the browser program according to claim 1, wherein, if the

button corresponding to the window currently displayed in the highest-level layer is

activated (pg. 6: Hotlist), it displays a bookmarked URL list (pg. 4.)


**Claim 15:** <u>Opera</u> discloses the content display control apparatus according claim 8,

comprising a display (pg. 2.)


**Claim 16:** <u>Opera</u> discloses the content display control apparatus according to claim 8,

wherein, the display is externally connected (pg. 6.)


**Claim 17, 20:** <u>Opera</u> discloses an executable browser program stored on a medium the

program comprising:

   a. displaying the same number of windows as at least a part of multiple buttons

     provided to operating means of a content display control apparatus for displaying

     contents on a display by superimposing them on a display area of the display

     (pg. 6);

   b. being able to display at least a part of results of interpreting a markup language

     document in each window and further providing and constantly displaying tabs

     for displaying contents of an opened markup language document in each window

     (pg. 6: Google start page); and

   c. if one of the buttons other than the button corresponding to the window currently

     displayed in the highest-level layer is activated (pg. 6, clicking on "Opera

Community"), displaying the window corresponding to this button in the highest-

level layer (pg. 3), in which:

    d.  in the case where the number of the markup language documents currently

        opened by the browser program is smaller than the number of the windows, it

        maintains a display of blank tabs which are the tabs of the windows not assigned

        to the currently open markup language documents (pg. 5.)


**Claim 18, 21:** <u>Opera</u> discloses the browser program according to claim 17, wherein, it

displays a predetermined markup language document prepared in advance in the

windows corresponding to the blank tabs (pg. 2.)


**Claim 19, 22:** <u>Opera</u> discloses the browser program according to claim 17, wherein, in

the case of opening a new markup language document in a state in which the windows

corresponding to the blank tabs exist, it displays the new markup language document

by using the windows corresponding to the blank tabs (pg. 6.)


### *Claim Rejections - 35 USC § 103*

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.      Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

<u>Opera</u> in view of <u>Shinichiro</u> (Pub: JP2000298543, App: JP19990107810 1999415.)


**Claim 2, 9:** <u>Opera</u> discloses the browser program according to claim 1. However, <u>Opera</u>

does not explicitly disclose, wherein, if the button corresponding to the window currently

displayed in the highest-level layer is activated, it switches between frames in the case

where the markup language document displayed in the window currently displayed in

the highest-level layer has a frame structure.  <u>Shinichiro</u> discloses a browser capable of

switching between frames of a markup language document by utilizing a button

corresponding to the window currently displayed (Abstract.) Therefore, it would have

been obvious to one having ordinary skill in the art at the time the invention was made

to apply a known technique of active frame switching to improve similar browsers of

<u>Shinichiro</u> and <u>Opera</u> in the same way so as to yield a predictable result.


7.      Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

<u>Opera</u>.


**Claim 6, 13:** <u>Opera</u> discloses the browser program according to claim 1, wherein, the

operating means is a remote controller separate and independent from a main unit of

the content display apparatus. Examiner takes official notice that it old and well known

in the arts to use a remote controller, such as keyboard or a mouse to operate a

browser program such as <u>Opera</u>. Therefore it would have been obvious to one of

ordinary skill in the art at the time the invention was made to utilize a remote controller

such as a keyboard and/or a mouse according to known methods to yield predictable

results of a keyboard and/or mouse operated browser.


8.      Claims 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Opera in view of Ryuhei (Patent: JP2001086423, App: JP19990255928 19990909.)


**Claim 7, 14:** Opera discloses the browser program according to claim 1. However,

Opera does not explicitly disclose wherein, if at least a part of the markup language

document displayed as the results of interpretation in the window currently displayed in

the highest-level layer includes one or multiple focus elements, it displays focus display

information, when one of the focus elements is selected, indicating a selected focus

element in a window-corresponding color which is a color associated with the window

currently displayed in the highest-level layer and determined to be different for each

window. Ryuhei discloses a similar browser program for selecting between different

programs by use of displayed focus elements which are in a corresponding colors

associated with a program currently displayed and determined to be different for each

program (Abstract, Fig. 4.) Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to use a known technique of

color coding between selection elements and corresponding windows to improve similar

devices of Opera and Ryuhei in the same way so as to yield predictable results.

## *Conclusion*

9.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Belousov whose telephone number is (571)

270-1695.  The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on (571) 272-3923.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


AB
January 2, 2008


/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174